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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/835,112	04/13/2001	John Cambray	CABINTCH-001XX	4203
7590 08/30/2004			EXAMINER	
BOURQUE & ASSOCIATES, P.A.			CHANG, SUNRAY	
Suite 303			ART UNIT	
835 Hanover Street			PAPER NUMBER	
Manchester, NH 03104			2121	

DATE MAILED: 08/30/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/835,112

Applicant(s)

CAMBRAY ET AL.

Examiner

Sunray Chang

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 April 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-23 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 13 April 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>01162002</u> . | 6) <input type="checkbox"/> Other: _____ |

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DETAILED ACTION

1. Claims 1 – 23 are presented for examination.

Claims 1 – 23 are rejected.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claim 11 is rejected under 35 U.S.C. 112, second paragraph, as failing to set forth the subject matter, which applicant(s) regard as their invention.

As to dependent claim 11, applicants recite the limitation "Internet web site server" in line 1 of claim 11. There is insufficient antecedent basis for this limitation in the claim. The term "Internet web site server", in Line 1 of claim 11, is not previously cited.

The term "Internet web site server" has been interpreted to be "Interactive web site server", based on the term in claim 9 disclosed "Interactive web site server".

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application

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filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. **Claims 1 – 6, 8 – 14, 17, 18, and 21 – 23 are rejected** under 35 U.S.C. 102(e) as being anticipated by Thyagarajan Venkatesan (U.S. PG-Pub. No. 2002/0124075, and referred to as Venkatesan hereinafter).

4. **Regarding independent claims 1 and 23,**

Venkatesan teaches,

- A system [tool] for performing real time [sequence] monitoring [monitors] of activities on an interactive network server [browsing the web pages of the web site]. [0005, 5 – 7]
- An interactive network server [web site system, 0034, Line 4] including a source of information [business's web pages, 0034 Line 5], an information controller [web server, 0034, Line 4] and a server activity reporter [provide analyzed web navigation sequences, 0039, Line 1 – 7, and Fig. 4];
- Interactive network server coupled to a computer network [web server connected to the Internet, 0012, Line 3 – 4],
- For receiving requests for at least first information from at least one visitor accessing said interactive network server, and responsive to said requests, for providing said at least first information from said source of information to said visitor over said computer network [The web pages display goods and services offered by the business, 0034, Line 5 – 6],

- Information controller for controlling said providing of said at least first information to said at least one visitor [web server which hosts the business's web pages. The web pages display goods and services offered by the business, 0034, Line 4 – 6];
- Server activity reporter for providing an indication of at least some of said activities on said interactive network server [Element 420 stores the monitored web navigation sequences performed by user visiting the web site while browsing the web pages, 0035, Line 1 – 3];
- A data filter [probability associative matrix, 0037, Line 9 – 10], responsive to said interactive network server activity reporter [analyze stored user navigation sequences, 0037, Line 10 – 11], for filtering [filter out, 0037, Line 11] at least some of said interactive network server activity information [most popular user navigation sequences, 0037, Line 11 – 12] and for providing filtered interactive network server activity information [provides the analyzed web navigation sequences to a web administrator, 0039, Line 1 – 2];
- A data analyzer [probability associative matrix, 0037, Line 9 – 10], responsive to said filtered interactive network server activity information [analyze stored user navigation sequences, 0037, Line 10 – 11], for determining [computing, 0037, Line 12] at least the present status [present page shift sequence, 0037, Line 13] of said at least one visitor accessing said interactive network server [user browsing the web pages, 0034, Line 8];
- A data reporter, responsive to said data analyzer and to a request for visitor information, for organizing and preparing for display, in a graphical format, at least said present status of said at least one visitor accessing said interactive network server [Element 440 provides the analyzed web navigation sequences to a web administrator and /or web content manager, 0039, Line 1 – 3]; and

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- At least one network server administrative terminal [130, Fig. 1] including a data display device [130, Fig. 1] and a data input device [130, Fig. 1], said at least one network server administrative terminal [130, Fig. 1] providing a request for visitor information to said data reporter [collect user navigation information, 0038, Line 2 – 3], and responsive to said data reporter, for displaying, on said data display device [130, Fig. 1], said at least present status of said at least one visitor in graphical format [present page shift sequence, 0037, Line 13].

5. **Regarding dependent claim 2,**

Information controller [web server, 0034, Line 4] is responsive to an information control signal, for controlling said providing of said at least first information [a web site system including a web server, which hosts the business's web pages. The web pages display goods and services offered by the business, 0034, Line 4 – 5] to said at least one visitor [user, 0034, Line 8].

6. **Regarding dependent claim 3,**

Data input device [web site administrator, 130, Fig. 1] of said at least one network server administrative terminal [web site administrator, 130, Fig. 1] provides said information control signal [web site administrator, 130, Fig. 1].

7. **Regarding dependent claim 4,**

Data filter [probability associative matrix, 0037, Line 9 – 10] is responsive to a data filter input file [user navigation sequence, 0037, Line 10 – 11], and wherein said user input device [web site administrator, 130, Fig. 1] from said at least one network server administrative terminal

[web site administrator, 130, Fig. 1] establishes said data filter input file [user navigation sequence, 0037, Line 10 – 11].

8. Regarding dependent claim 5,

Data filter input file [user navigation sequence, 0037, Line 10 – 11] establishes desired visitor information [user navigation information, 0038, Line 2 – 3], which will be used to generate real time graphical reports [user navigation patterns, 0038, Line 5].

9. Regarding dependent claim 6,

Desired visitor information [user navigation information, 0038, Line 2 – 3] is based on visitor activity on said interactive network server [pages visited by the user, 0038, Line 3].

10. Regarding dependent claim 8,

Graphical format [user navigation patterns, 0038, Line 5] includes at least visitor information [user navigation information, 0038, Line 2 – 3] arranged in at least one format selected from the group consisting of a visitor format [collect user navigation information, 0038, Line 2 – 3], a category format [web pages visited by the user, 0038, Line 3] and a sequence format [navigation sequences, 0038, Line 7].

11. Regarding dependent claim 9,

Interactive network server includes at least one interactive web site server [web site server, 0034, Line 4].

12. Regarding dependent claim 10,

Visitor information [user navigation information, 0038, Line 2 – 3] displayed in a graphical format [user navigation patterns, 0038, Line 5] includes the amount of time [given time period, 0011, Line 27] the visitor has been on the interactive web site server [web site, 0011, Line 16], the amount of time the visitor has been on a given web page [web pages, 0011, Line 17] and a category description of the given web page [used web pages, 0011, Line 19].

13. Regarding dependent claim 11,

Interactive web site server includes a plurality of Internet web site servers coupled together to act as one Internet web site server [A web server is connected to the internet, and hosts the business's web pages, 0012, Line 3 – 5].

14. Regarding dependent claim 12,

Computer network includes the World-Wide-Web [Internet, 0012, Line 4].

15. Regarding dependent claim 13,

At least first information includes at least one web page provided from said interactive network server to said at least one visitor [Users and/or visitors are also connected to the Internet via their computers. The web site system allows the users to electronically browse the web pages. The web pages display products and services offered by the business, 0013, Line 1 – 5].

16. Regarding dependent claim 14,

Interactive network server receives a plurality of requests for a plurality of information from said at least one visitor [users visiting a web site to enhance effectiveness of the web site, so that users are provided with the right amount of information, 0011, Line 2 – 4].

17. Regarding dependent claim 17,

- Interactive network server [web site system, 0037, Line 1] provides at least second information [next page, 0037, Line 8] to said visitor,
- At least second information not requested by said visitor [provide personalized news and/or mail of interest to users, 0011, Line 29].

18. Regarding dependent claim 18,

Visitor information [user navigation information, 0038, Line 2 – 3] includes the URL of web pages [web pages visited by the user, 0038, Line 3], which said at least one visitor has accessed on the interactive network server.

19. Regarding dependent claim 21,

Data analyzer [PAM analyzer, 0015, Line 1] determines, in addition to the present status of said at least one visitor, the past history [previous web page, 0014, Line 12] of said at least one visitor during said at least one visitor's present access to said interactive network server. [The present page shift sequence can include monitoring the user navigating from a previous web page to a present web page, 0014, Line 10 – 12].

20. **Regarding dependent claim 22,**

Data analyzer [PAM analyzer, Fig. 1] further includes a data trigger, responsive to a user entered trigger value for at least one specific event ['0' in the beginning and end of the above illustrated web navigation sequence indicates that user is entering and exiting the web site, 0029, Line 1 – 3], for generating a real time action response [probability associative matrix, 0023 – 0028].

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

21. **Claim 7 is rejected** under 35 U.S.C. 103(a) as being unpatentable over Venkatesan and in view of Craig Howard (U.S. Patent No. 6,768,994, and referred to as Howard hereinafter).

(Venkatesan as set forth above generally discloses the basic inventions.)

Regarding Claim 7, Venkatesan teaches graphical format [user navigation patterns, 0038, Line 5].

Venkatesan does not teach a pie chart and a bar chart.

Howard teaches a pie chart and a bar chart for the purpose of easy modification of the report configuration.

It would have been obvious to a person of ordinary skill in the art at the time of applicant's invention to modify the teaching of Venkatesan to include "a pie chart and a bar chart" for the purpose of easy modification of the report configuration.

22. **Claims 15, 16, 19, and 20 are rejected** under 35 U.S.C. 103(a) as being unpatentable over Venkatesan and in view of Ki Yeol Kim (U.S. PG Pub. No. 2001/0011235, and referred to as Kim hereinafter).

23. **Regarding dependent claim 15,**

Venkatesan teaches

- A visitor information log [user navigation information, 0038, Line 2 – 3], responsive to said at least one visitor accessing said interactive network server [web site, 0038, Line 6], for recording visitor information generally in real time [present page shift sequence, 0037, Line

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13], as said visitor information is generated [collect user navigation information, 0038, Line 2 – 3], each visitor accessing said interactive network server [visiting the web site, 0034, Line 11],

- At least first information requested by said at least one visitor, and at least said first information provided by said interactive network server [each of the web navigation sequence performed by users browsing the web pages provided by the web site system, 0034, Line 7 – 9]; and
- A data parser, responsive to said visitor information [user navigation information, 0038, Line 2 – 3], for organizing [analyze, 0038, Line 1] said recorded visitor information [user navigation information, 0038, Line 2 – 3] according to at least individual visitors accessing said interactive network server [web page visited by the user, 0038, Line 3].

Venkatesan does not teach a visitor identifier.

Kim teaches a visitor identifier [identifier, 0128, Line 3].

It would have been obvious to a person of ordinary skill in the art at the time of applicant's invention to modify the teaching of Venkatesan to include "a visitor identifier" for the purpose of identification.

24. **Regarding Claim 16**, Venkatesan teaches visitor information log [user navigation information, 0038, 2 – 3].

Venkatesan does not teach a visitor identifier includes an IP address.

Kim teaches a visitor identifier [identifier, 0128, Line 3] includes an IP address [IP address, 0128, Line 3].

It would have been obvious to a person of ordinary skill in the art at the time of applicant's invention to modify the teaching of Venkatesan to include "a visitor identifier includes an IP address" for the purpose of identification.

25. **Regarding Claim 19**, Venkatesan teaches visitor information [user navigation information, 0038, 2 – 3].

Venkatesan does not teach a shopping cart.

Kim teaches a shopping cart [shopping cart window, 0128, Line 5].

It would have been obvious to a person of ordinary skill in the art at the time of applicant's invention to modify the teaching of Venkatesan to include "a shopping cart" for the purpose of temporarily storage.

26. **Regarding Claim 20**, Venkatesan teaches,

Data parser [PAM analyzer, Fig. 1] organizes said reported visitor information [user navigation information, 0038, 2 – 3] according to at least one individual visitor and in chronological order [web navigation sequences, 0038, 7] according to said at least one individual visitor.

Conclusion

27. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Carroll et al. (U.S. Patent No. 6,651,098) discloses a Web, a reassignment, and a user hit rate. Glasser et al. (U.S. Patent No. 6,631,412) discloses monitoring, and a timer. Glasser et al. (U.S. Patent No. 6,631,412) discloses monitoring, and a timer. Jawahar et al. (U.S. Patent No. 6,631,412) discloses a web server, a database management server, a client, a customer, and a filter. Hingorani et al. (U.S. Patent No. 6,708,215) discloses monitoring user access activity, URL, trigger event.

28. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sunray Chang whose telephone number is 703-305-8744. The examiner can normally be reached on M-F 7:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Anthony Knight can be reached on (703)308-3179. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-746-3506.

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Patent Examiner
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August 26, 2004